

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ORANGEBURG DIVISION

T. Terrell Bryan,)	
)	
Plaintiff,)	Civil Action No. 5:15-871-TMC-KDW
)	
vs.)	ORDER
)	
Michael McCall; Florence Mauney;)	
Dennis Bush; Sgt. Lawless; Sgt. Lindsey;)	
Lt. Church; Lt. Lasley; Lt. Terry; Major)	
Mursier; Assistant Warden Lewis;)	
Warden Cartledge; Ms. Saltsburg;)	
DHO Glidwell; Coach Rowe;)	
Ashley Maddox; IGC Talbert;)	
Ms. Williams; Sgt. Young; Cpl. Morton;)	
Ann Hallman; SCDC; ALC Clerk; ALC;)	
Clerk of SC Court of Appeals; and)	
SC Court of Appeals, et al.,)	
)	
Defendants.)	
)	

Plaintiff, T. Terrell Bryan, a state prisoner proceeding pro se, filed this action pursuant to 42 U.S.C. § 1983. In accordance with 28 U.S.C. § 636(b)(1) and Local Civ. Rule 73.02, DSC, this matter was referred to a magistrate judge for pretrial handling. Before the court is the magistrate judge's Report and Recommendation ("Report"), recommending that (1) Plaintiff's complaint be partially summarily dismissed with prejudice insofar as it seeks to impose any liability for relief against Defendants SCDC, ALC, ALC Clerk, Clerk of S.C. Court of Appeals, and S.C. Court of Appeals; (2) the complaint be partially summarily dismissed without prejudice as to Defendants Sgt. Lawless, Sgt. Lindsey, Lt. Church, Lt. Lasley, Ashley Maddox, and Ann Hallman and as to the request for declaratory judgment; and (3) the complaint be served on the remaining Defendants, but that these Defendants be directed to respond to all of Plaintiff's allegations except those about constitutional violations in connection with the incident reports,

disciplinary charges, or disciplinary hearings that led to Plaintiff's March 18, 2013 or January 6, 2014 disciplinary convictions or Plaintiff's request for declaratory judgment. (ECF No. 22). Plaintiff was advised of his right to file objections to the Report. (ECF No. 22 at 17). However, Plaintiff filed no objections to the Report, and the time to do so has now run.

The Report has no presumptive weight and the responsibility to make a final determination in this matter remains with this court. *See Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). In the absence of objections, this court is not required to provide an explanation for adopting the Report. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983). Rather, "in the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee's note).

After a thorough review of the Report and the record in this case, the court adopts the Magistrate Judge's Report (ECF No. 22) and incorporates it herein. It is therefore **ORDERED** that: (1) Plaintiff's complaint is partially summarily **DISMISSED** without prejudice insofar as it seeks to impose any liability for relief against Defendants SCDC, ALC, ALC Clerk, Clerk of S.C. Court of Appeals, and S.C. Court of Appeals; (2) Plaintiffs complaint is partially summarily **DISMISSED** without prejudice as to Defendants Sgt. Lawless, Sgt. Lindsey, Lt. Church, Lt. Lasley, Ashley Maddox, and Ann Hallman and as to the request for declaratory judgment; and (3) the complaint shall be served on the remaining Defendants, but that these Defendants are directed to respond to all of Plaintiff's allegations except those about constitutional violations in connection with the incident reports, disciplinary charges, or disciplinary hearings that led to

Plaintiff's March 18, 2013 or January 6, 2014 disciplinary convictions or Plaintiff's request for declaratory judgment.

IT IS SO ORDERED.

s/Timothy M. Cain
United States District Judge

May 21, 2015
Anderson, South Carolina